

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:

EVERSTREAM GLC HOLDING
COMPANY LLC

)
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)
) No. 16-0275

Application for a Certificate
of Authority to operate as a
reseller and facilities based
carrier of telecommunications
services in the State of
Illinois.

Chicago, Illinois
May 24, 2016

Met pursuant to notice at 10:00 a.m.

BEFORE :

MR. GLENNON DOLAN, Administrative Law Judge.

APPEARANCES :

THE LOOMIS LAW FIRM, by
MR. MICHAEL F. MATHESON
MR. MICHAEL OLIVA
124 West Allegan
Suite 700
Lansing, Michigan 48933
appeared for Applicant.

SULLIVAN REPORTING COMPANY, by
Teresann B. Giorgi, CSR
084-000977

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I N D E X

<u>Witnesses:</u>	<u>Dir.</u>	<u>Crx.</u>	<u>Re-</u> <u>dir.</u>	<u>Re-</u> <u>crx.</u>	<u>By</u> <u>Examiner</u>
Marlene Piatak	5				10

E X H I B I T S

<u>APPLICANT'S</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
1	-----	13
Attachments A thru D	-----	13
<u>STAFF'S</u>		
1	-----	13

1 JUDGE DOLAN: By the direction and authority
2 of the Illinois Commerce Commission, I call
3 Docket No. 16-0275, Everstream GLC Holding
4 Company LLC, an Application for a Certificate of
5 Authority to operate as a reseller and facilities
6 based carrier of telecommunications services in the
7 State of Illinois, to order.

8 Would the parties please identify
9 themselves for the record.

10 MR. MATHESON: This is Michael Matheson, counsel
11 for Everstream GLC Holding Company LLC, the
12 Applicant.

13 I also have on the line a partner of
14 mine, Mr. Michael Oliva.

15 And I would ask that Ms. Piatak
16 introduce herself, as well.

17 JUDGE DOLAN: Hold on, Mr. Matheson.

18 Please give the name of your firm and
19 your address and your phone number, all that
20 information for the record, too.

21 MR. MATHESON: Sure.

22 The law firm is The Loomis Law Firm.

1 The address is 124 West Allegan, A-l-l-e-g-a-n,
2 that's Suite 700, Lansing, Michigan 48933.

3 JUDGE DOLAN: And your phone number?

4 MR. MATHESON: Is 517-482-2400.

5 JUDGE DOLAN: Let the record reflect there are
6 no additional appearances.

7 Mr. Matheson, you have a witness that
8 you're going to call this morning?

9 MR. MATHESON: I do, your Honor.

10 JUDGE DOLAN: Okay. Go ahead and call your
11 witness, please.

12 MR. MATHESON: I would like to call Marlene
13 Piatak.

14 JUDGE DOLAN: Ms. Piatak, you're going to
15 testify, I take it?

16 MS. PIATAK: Yes.

17 JUDGE DOLAN: Please raise your right hand.
18 (Witness sworn telephonically.)

19 JUDGE DOLAN: Go ahead and proceed, counsel.

20 MR. MATHESON: Thank you, your Honor.

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1 MARLENE PIATAK,
2 called as a witness herein, and after having been
3 first duly sworn, was examined and testified as
4 follows:

5 DIRECT EXAMINATION

6 BY

7 MR. MATHESON:

8 Q Ms. Piatak, would you spell your full name
9 for the record, please.

10 A Yes. Marlene Piatak, M-a-r-l-e-n-e,
11 Piatak, P-i-a-t-a-k.

12 Q And you are a representative of the
13 Applicant, correct?

14 A Correct.

15 Q And what is your position Everstream?

16 A I am a secretary/treasurer.

17 Q And you are familiar with the application
18 for a certificate to become a telecommunications
19 carrier that's been filed in this case?

20 A Yes.

21 Q And as of right now, are you aware of any
22 changes that are required that you would like to

1 bring to the attention of Judge Dolan?

2 A No.

3 Q The application itself consists of a series
4 of sections and information.

5 Section 1 is the general information
6 for Everstream GLC Holding Company.

7 A Uh-huh.

8 Q Do you have the application?

9 A Yes.

10 Q And the information contained in Section 1
11 is true and accurate?

12 A Yes.

13 Q In addition to Section 1, there is a
14 managerial section to the application, including
15 officers and other representatives of Everstream?

16 A Yes.

17 Q I didn't hear you say "yes" or "no".

18 A Yes.

19 Q And you are listed as one of the officers
20 for the Applicant, correct?

21 A Correct.

22 Q And the officers of the Applicant are true

1 and accurate?

2 A Yes.

3 Q In addition to the managerial and general
4 section, there is also a financial section, are you
5 familiar with that section as well?

6 A Yes.

7 Q And is the information contained within the
8 financial section of the application true and
9 accurate?

10 A Yes.

11 Q In the application there is also a
12 technical portion of the application, are you
13 familiar with that section as well?

14 A Yes.

15 Q And contained within the technical portion
16 of the application, Everstream is requesting
17 approval to provide local exchange services
18 throughout Illinois, is that correct?

19 A Yes.

20 Q In Section 5 of the application, it
21 consists of a series of waivers, is that correct?

22 A Correct.

1 Q Is the information contained within that
2 section true and accurate?

3 A Yes.

4 Q And is it true that you're -- Everstream is
5 located in Ohio, correct?

6 A Yes.

7 Q And you are requesting permission to keep
8 your books and records related to the certificate to
9 be issued in this case, in Ohio?

10 A Yes.

11 Q In Section 6 of the application, it's the
12 telephone assistance programs, correct?

13 A Yes.

14 Q Are you familiar with that section?

15 A Yes.

16 Q And are those assistance programs that
17 Everstream has agreed to provide in connection with
18 the application?

19 A Yes.

20 Q Does that include Section 7, the 9-1-1
21 service as well?

22 A Yes.

1 Q Is Everstream licensed as a carrier in any
2 other states?

3 A We're licensed in the state of Ohio and
4 Michigan.

5 Q And if you heard Judge Dolan earlier, he
6 may have some follow up questions, and this may be
7 too broad under the circumstances here, but do you
8 recall the indication about questions regarding
9 complaints that may be asked of Everstream here and
10 crammed down issues?

11 A Yes.

12 Q And has Everstream had any slamming or
13 cramming complaints?

14 A I'm not familiar with the terms "slamming"
15 and "cramming," but we don't have any customer
16 complaints of any sort that are any -- other than
17 simple bill disputes or, you know, everyday issues.

18 Q There are no complaints, to your knowledge,
19 pending before any of the regulatory agencies in
20 either Michigan or Ohio?

21 A No.

22 MR. MATHESON: Your Honor, that would conclude

1 my initial questioning of Ms. Piatak. And if you
2 have any follow up questions, I would certainly her
3 for your questioning.

4 JUDGE DOLAN: Okay. Just a couple, nothing
5 spectacular.

6 EXAMINATION

7 BY

8 JUDGE DOLAN:

9 Q Just to follow up with the way you would
10 keep the books and records in Ohio, you would have
11 no issues with making those books available to any
12 Commission staff that may want to review any of
13 those documentations, is that correct?

14 A Correct.

15 Q Okay. Just to follow up again about --
16 there's been no complaints you said about your
17 company in either Ohio or Michigan at the current
18 time, is that correct?

19 A Correct.

20 Q And there's been no indication that anybody
21 from your company, or your company in this name or
22 any other name has had any license suspension or

1 revoked in this jurisdiction or in any other
2 jurisdiction, is that correct.

3 A Correct.

4 JUDGE DOLAN: We'll just go off the record for
5 one second.

6 (Whereupon, a discussion
7 was had off the record.)

8 JUDGE DOLAN: Back on the record.

9 A conversation took place off the
10 record just concerning what information the
11 certificates were going to be asked -- or requested
12 by the company.

13 Q And with that, Ms. Piatak, the company is
14 looking for certificates under Section 13-403,
15 13-404 and 13-405 of the Public Utility Act, is that
16 correct?

17 A Correct.

18 JUDGE DOLAN: And with that, I don't have any
19 other questions.

20 Mr. Matheson, are you ready to put the
21 exhibits into the record?

22 MR. MATHESON: Yes, your Honor.

1 JUDGE DOLAN: Please proceed.

2 MR. MATHESON: I would request that the
3 application for a certificate to become a
4 telecommunications carrier, submitted on behalf of
5 the Applicant, Everstream GLC Holding Company LLC,
6 along with Attachments A, B, C and D, be included in
7 the record with the provision that Attachment D be
8 excluded from the record based upon the
9 confidentiality in the nature of that attachment.
10 But Attachments A, B and C would be included along
11 with the application in the record.

12 JUDGE DOLAN: Well, I think really what you're
13 asking for is just Attachment D to be made part of
14 the record, but to remain confidential. It would be
15 marked "confidential" and it would be subject to
16 only Commission personnel and other authorized
17 people for a period of two years.

18 MR. MATHESON: Thank you for that clarification.

19 JUDGE DOLAN: So with that I'm going to put the
20 application, Attachments A, B, C and D will be
21 admitted into the record with D being marked as a
22 confidential exhibit.

1 MR. MATHESON: That is correct.

2 (Whereupon, Applicant's

3 Exhibit 1, Attachments A,

4 B, C and D were admitted

5 into the record.)

6 JUDGE DOLAN: And with that, I'm going to enter

7 into the record what has been marked as Staff

8 Exhibit No. 1, which is an answer by Staff

9 indicating that they have no issues and they support

10 the approval of the application for the Applicant to

11 be certified in this matter.

12 Is there any objection to Staff

13 Exhibit No. 1 going into the record?

14 MR. MATHESON: None, your Honor.

15 (Whereupon, Staff's Exhibit

16 No. 1 was admitted into

17 the record.)

18 JUDGE DOLAN: Then with that, is there anything

19 else to be brought before the Commission today?

20 MR. MATHESON: Nothing further on behalf of the

21 Applicant.

22 JUDGE DOLAN: Then we will be marked heard and

1 taken.

2 All right. Thank you all.

3 MR. OLIVA: Thank you, your Honor.

4 MR. MATHESON: Thank you, Judge. I appreciate
5 your patience.

6 JUDGE DOLAN: That's okay. I understand.

7 Thank you all.

8 HEARD AND TAKEN

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